

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF COLUMBIA	)	
GAS OF KENTUCKY, INC. FOR AN	)	
ADJUSTMENT OF RATES; APPROVAL OF	)	CASE NO.
DEPRECIATION STUDY; APPROVAL OF	)	2021-00183
TARIFF REVISIONS; ISSUANCE OF A	)	
CERTIFICATE OF PUBLIC CONVENIENCE	)	
AND NECESSITY; AND OTHER RELIEF	)	

ORDER

On July 9, 2021, Columbia Gas of Kentucky, Inc. (Columbia Kentucky) filed a motion requesting a deviation from the notice requirements of 807 KAR 5:001, Section 17(2)(b)(3). This regulation requires a utility to publish notice of a rate adjustment once a week, for three consecutive weeks in a prominent manner in a newspaper of general circulation in the utilities service area, with the first publication to be made no later than the date the application is submitted to the Commission.

Columbia Kentucky explained that its request applied to only one of several newspapers in Columbia Kentucky's service territory in which Columbia Kentucky arranges publication of customer notices. Columbia Kentucky stated that the *Woodford Sun* agreed to publish the notice for three consecutive weeks beginning on May 27, 2021. The *Woodford Sun* did publish Columbia Kentucky's customer notice for the first and second consecutive weeks, with the first publication being May 27, 2021. However, on June 10, 2021, which would have been the third publication date in the *Woodford Sun*,

the paper failed to publish the customer notice. Subsequently, the *Woodford Sun* published Columbia Kentucky's customer notice for the third time on June 17, 2021.

Columbia Kentucky asserts its customer notice publications in the *Woodford Sun* commenced in accordance with 807 KAR 5:001, Section 17(2)(b)(3), and were published a total of three times in that paper, but the final publication was not consecutive with the first two publications. In support of its motion for deviation, Columbia Kentucky states that no individual could reasonably claim to have been prejudiced by the one week delay in publishing its customer notice in the *Woodford Sun* because the third publication in that paper took place two weeks prior to the deadline for submitting requests for intervention, and that ultimately, the notice was published in the *Woodford Sun* three times.

Having reviewed the motion and being otherwise sufficiently advised, the Commission finds that Columbia Kentucky has established good cause to permit a deviation from the notice requirement for the reasons that follow. The deviation that Columbia Kentucky seeks only affects the third publication of its notice in one newspaper out of several publications in several newspapers. The customer notice was published in conformity with the regulation with the exception that the final publication in the *Woodford Sun* was not consecutive with the first two publications in that paper. However, the third publication of the customer notice occurred two weeks prior to the deadline for submitting requests for intervention, providing ample time for any party interested in intervening to do so.

IT IS THEREFORE ORDERED that Columbia Kentucky's motion to deviate from the Commission's notice requirements set forth in 807 KAR 5:001, Section 17(2)(b)(3) is granted.

By the Commission

ENTERED  
AUG 04 2021  
KENTUCKY PUBLIC SERVICE COMMISSION

ATTEST:

  
\_\_\_\_\_  
Executive Director for

\*L Allyson Honaker  
Goss Samford, PLLC  
2365 Harrodsburg Road, Suite B325  
Lexington, KENTUCKY 40504

\*Joesph Clark  
NiSource  
290 W. Nationwide Blvd  
Columbus, OHIO 43215

\*Angela M Goad  
Assistant Attorney General  
Office of the Attorney General Office of Rate  
700 Capitol Avenue  
Suite 20  
Frankfort, KENTUCKY 40601-8204

\*Honorable Kurt J Boehm  
Attorney at Law  
Boehm, Kurtz & Lowry  
36 East Seventh Street  
Suite 1510  
Cincinnati, OHIO 45202

\*David S Samford  
Goss Samford, PLLC  
2365 Harrodsburg Road, Suite B325  
Lexington, KENTUCKY 40504

\*Larry Cook  
Assistant Attorney General  
Office of the Attorney General Office of Rate  
700 Capitol Avenue  
Suite 20  
Frankfort, KENTUCKY 40601-8204

\*Jody M Kyler Cohn  
Boehm, Kurtz & Lowry  
36 East Seventh Street  
Suite 1510  
Cincinnati, OHIO 45202

\*Mark David Goss  
Goss Samford, PLLC  
2365 Harrodsburg Road, Suite B325  
Lexington, KENTUCKY 40504

\*Judy M Cooper  
Director, Regulatory Services  
Columbia Gas of Kentucky, Inc.  
2001 Mercer Road  
P. O. Box 14241  
Lexington, KY 40512-4241

\*J. Michael West  
Office of the Attorney General Office of Rate  
700 Capitol Avenue  
Suite 20  
Frankfort, KENTUCKY 40601-8204

\*John G Horne, II  
Office of the Attorney General Office of Rate  
700 Capitol Avenue  
Suite 20  
Frankfort, KENTUCKY 40601-8204

\*Honorable Michael L Kurtz  
Attorney at Law  
Boehm, Kurtz & Lowry  
36 East Seventh Street  
Suite 1510  
Cincinnati, OHIO 45202

\*John R. Ryan  
Columbia Gas of Kentucky, Inc.  
2001 Mercer Road  
P. O. Box 14241  
Lexington, KY 40512-4241

\*Columbia Gas of Kentucky, Inc.  
290 W Nationwide Blvd  
Columbus, OH 43215